



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/976,322    11/21/97    DJUPSJOBACKA

K    915-312

004955    WM02/1003  
WARE FRESSOLA VAN DER SLUYS &  
ADOLPHSON, LLP  
BRADFORD GREEN BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE CT 06468

EXAMINER

BROWN, R

ART UNIT

PAPER NUMBER

2611

DATE MAILED:

10/03/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

SM

# Office Action Summary

Application No.

08/976,322

Applicant(s)

DJUPSJOBACKA ET AL.

Examiner

Brown M. Reuben

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-2 & 10-15 are objected to under 37 C.F.R. 1.75 because of the following informalities: The instant claims list several different networks in parenthesis.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-2 & 10-15 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph as being indefinite. Regarding claims, the listing of service ID data in parenthesis, (original\_network-id, transport\_stream\_id, service\_id) renders the claims indefinite because it is unclear whether the limitation(s) included in the parenthesis are part of the claimed invention. Applicant also lists identifying name information, (service\_provider\_name, service\_name). See MPEP § 2173.05(d). Appropriate correction is required.

Art Unit: 2611

4. Claim 9 is rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph for lacking antecedent basis.

Claim 9 recites the limitation "the URL address" in line 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-2 & 10-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaney, (U.S. Pat # 5,867,207).

Art Unit: 2611

Considering claim 1, the instant claim is interpreted as best understood in light of the above 112 2<sup>nd</sup> paragraph rejection. The claimed method for addressing at least one service in a data communication system comprising at least one data transmission network for transmitting information in at least one data transmission stream, such that one or more service providers transmits services to one or more data transmission networks, wherein the services are assigned service ID data is met by Chaney which teaches that transmitted services are identified by a unique SCID, col. 4, lines 15-25. Chaney discloses that a master program guide contains a Channel to Service Segment Map (CSSM) block and a Program Information Segment Map (PISM) block that contains links of program information that on each virtual channel described in a corresponding CSSM, col. 5, lines 33-45.

The claimed additional feature reciting that on the basis of the service ID data and a location retrievable for use, the service is assigned identifying name information, such as service\_provider\_name or service\_name is met the program name or title which the end users choose in order to request a particularly desired program see Chaney col. 3, lines 56-65 & col. 5, lines 44-60. Moreover, in Chaney the service information is retrieved on the basis of a program name and its relation, link, pointer or correspondence with the instant service information, see col. 3, lines 25-40 & col. 6, lines 11-24.

Considering claim 2, the claimed method for addressing at least one service among plural services or for addressing at least one service component, recites method steps that correspond with subject matter rejected above in the analysis of claim 1, and is likewise analyzed.

Considering claims 10-11, the claimed data communication system comprising at least one data transmission network for transmitting information on services in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 12-13, the claimed broadcasting device for transmitting at least one service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 14-15, the claimed receiver for receiving at least one service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

7. Claims 1-6 & 10-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Terasawa, (U.S. Pat # 6,147,714).

Considering claim 1, the instant claim is interpreted as best understood in light of the above 112 2<sup>nd</sup> paragraph rejection. The claimed method for addressing at least one service in a

Art Unit: 2611

data communication system comprising at least one data transmission network for transmitting information in at least one data transmission stream, such that one or more service providers transmits services to one or more data transmission networks, wherein the services are assigned service ID data is met by Terasawa, (col. 8, lines 40-50), which discusses a service\_id that is provided as a label for a particular service within a transport stream.

The claimed additional feature reciting that on the basis of the service ID data and a location retrievable for use, the service is assigned identifying name information, such as service\_provider\_name or service\_name is met the program\_number, which Terasawa discloses corresponds with the aforementioned service\_id, col. 8, lines 48-51. The program\_number is the tool used in Terasawa to locate and identify services within the program map section of a transmitted program guide. Furthermore, in Terasawa the service information is retrieved on the basis of a program\_number and its relation, link, pointer or correspondence with the instant service information, see col. 8, lines 40-65. Terasawa also discloses that services are identified by an event\_id, see col. 9, lines 14-17.

Considering claim 2, the claimed method for addressing at least one service among plural services or for addressing at least *one service component*, recites method steps that correspond with subject matter rejected above in the analysis of claim 1, and is likewise analyzed.

Considering claims 3 & 16, Terasawa utilizes DVB technology, col. 4, lines 62-67 & col. 7, lines 55-57.

Considering claims 4-5 & 17-18, Terasawa discloses that service name information is added to both a SDT table records and EIT table records, see col. 7, lines 55-67; col. 8, lines 1-67.

Considering claim 6, Terasawa discloses the use of the service\_name and service\_provider\_name fields, col. 8, lines 61-67.

Considering claims 10-11, the claimed data communication system comprising at least one data transmission network for transmitting information on services in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 12-13, the claimed broadcasting device for transmitting at least on service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 14-15, the claimed receiver for receiving at least one service in a data communication system comprising at least one data transmission network for transmission of



Art Unit: 2611

information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

*Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa.

Considering claims 7-8, Terasawa does not mention the use of DSM-CC technology. Official Notice is taken that at the time the invention was made, DSM-CC technology was well known as a standard set of protocols for managing functions and operations of at least MPEG-1 & MPEG-2 bitstreams. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa with the features of DSM-CC technology, at least for the known benefits of increased command and control from a server to a client.

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, in view of Shoff, (U.S. Pat # 6,240,555).

Considering claim 9, the instant claim is interpreted as best understood in light of the above 112 2<sup>nd</sup> paragraph rejection. Terasawa does not teach the use of URL addressing with respect to name information of an available service. Nevertheless, at the time the invention was made, such a technique was very well known in the art and is taught by Shoff, (Fig. 3; col. 5, lines 24-55; col. 6, lines 20-50). It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa with the technique of using URL addressing of services, for the desirable improvement providing the end user with access to a wider range of services, as taught by Shoff.

*Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Wasilewski Teaches the use DVB format in the transmission of EPG data over logical and/or virtual channels. Also teaches the use of EIT format.

B) Ward Discloses the advantages for utilizing DSM-CC technology and that such technology is included within (ISO/IEC 1318-6) standard with respect to command and control of MPEG bitstreams.

Art Unit: 2611

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

**Or:**

(703) 872-9314 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).*

Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Brown M. Reuben whose telephone number is (703) 305-2399.  
The examiner can normally be reached on M-F (8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone numbers for the  
organization where this application or proceeding is assigned is (703) 872-9314 for regular  
communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is (703) 305-  
4700.



ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600